

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

MANUEL L. BODY,

Plaintiff,

No. C 11-5734 PJH (PR)

v.

**ORDER OF DISMISSAL**

Correctional Officer M. PHILLIPS, et al.,

Defendants.

Plaintiff, a state prisoner, has filed a civil rights complaint contending that his flat-screen television set was seized and lost when he was sent to segregation. This complaint duplicates that in case number C 11-4702 PJH (PR), which was dismissed on November 8, 2011, because his allegations involved a random and unauthorized deprivation of property not cognizable under section 1983. *See Parratt v. Taylor*, 451 U.S. 527, 535-44 (1981) (state employee negligently lost prisoner's hobby kit), *overruled in part on other grounds, Daniels v. Williams*, 474 U.S. 327, 330-31 (1986); *Hudson v. Palmer*, 468 U.S. 517, 533 (1984) (intentional destruction of inmate's property). Plaintiff does not explain why he filed another case raising the same claims.

Because this complaint is duplicative, and because plaintiff cannot state a federal claim, the complaint is **DISMISSED** with prejudice. The clerk shall close the file.

**IT IS SO ORDERED.**

Dated: January 10, 2012.

  
PHYLLIS J. HAMILTON  
United States District Judge